UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/748,603	12/29/2003	Richard Doil Lane	030068	8659

23696 7590 07/06/2010

QUALCOMM INCORPORATED
5775 MOREHOUSE DR.
SAN DIEGO, CA 92121

EXAMINER	
NGUYEN, TU X	

ART UNIT	PAPER NUMBER
2618	

NOTIFICATION DATE	DELIVERY MODE
07/06/2010	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

us-docketing@qualcomm.com

Office Action Summary	Application No.	Applicant(s)	
	10/748,603	LANE ET AL.	
	Examiner	Art Unit	
	TU X. NGUYEN	2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *14 June 2010*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-3,9-19,21-23,25-27,29-34,36-41 and 43-53* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,3-7,9-11,14-19,21-23,25,26,33,34,36-39,43 and 46-53* is/are rejected.

7)☒ Claim(s) *12,13,27,29,32,40,44 and 45* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *12/29/03* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

Applicant's arguments with respect to claims 1, 17, 34 and 47, have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1, 3-7, 9-11, 14-15, 17-20, 22-23, 25-26, 30, 33-34, 36-39, 41, 43 and 46-53, are rejected under 35 U.S.C. 103(a) as being unpatentable over Lipsanen et al. (US Pub. 2002/0059614) in view of Salo et al. (US Patent 7283817).

Regarding claim 1, Lipsanen et al. discloses a communication system, comprising:

at least a broadcast center (fig.2, 202) wirelessly broadcasting at least one multimedia stream (fig.2, 208);

a first wireless receiver (fig.2, 216) receiving the stream over a wireless broadcast link, wherein the broadcast link is characterized by a first wireless principle (par.068-069); and

wherein the bidirectional wireless link is characterized by a second wireless principle, and wherein the wireless broadcast link and the bidirectional wireless link are separate physical channels, and wherein the first and second wireless principles are different from each other, and wherein the first wireless receiver and the second receiver are both part of the same receiving device (par.036).

Lipsanen et al. fails to disclose a second receiver being provided with control data associated with the multimedia stream over a bidirectional wireless link.

Salo et al. discloses a second receiver being provided with control data associated with the multimedia stream over a bidirectional wireless link (col.3 line 44 through col.4 line 5). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Lipsanen et al. with the above teaching of Salo in order to reduce bandwidth by DVB-T transmitter.

Regarding claims 3, 22 and 36, the modified Lipsanen et al. discloses the broadcast link is unidirectional and wherein the first wireless principle is selected from the group consisting of: CDMA principles, GSM principles, OFDM principles (Lipsanen et al., par.059), WCDMA principles, TDMA principles, and TD-SCDMA principles.

Regarding claims 4, 23 and 37, the modified Lipsanen et al. discloses the second wireless principle is selected from the group consisting of: a CDMA link, a GSM link, a 802.11 link, a satellite link, and a Bluetooth link (Lipsanen et al., par.036)

Regarding claims 6 and 25, the modified Lipsanen et al. discloses the first wireless receiver and the second receiver are associated with a mobile communication

device having at least one display for displaying the multimedia data (Lipsanen et al., par.035).

Regarding claim 7, the modified Lipsanen et al. discloses the first wireless receiver and the second receiver are associated with a mobile communication device having at least one speaker for presentation of multimedia audio data (Lipsanen et al., par.044).

Regarding claims 9 and 46, the modified Lipsanen et al. discloses services are ordered over the bidirectional link (Lipsanen et al., par.036).

Regarding claims 10 and 33, the modified Lipsanen et al. discloses products are ordered over the bidirectional link (Lipsanen et al., par.040).

Regarding claims 11, 30, 43 and 48, the modified Lipsanen et al. discloses at least one digital broadcast multimedia (DBM) controller useful at least for encrypting (Lipsanen et al., par.033), encoding and/or aggregating the multimedia stream.

Regarding claims 14, 26, 39, 49 and 51, the modified Lipsanen et al. discloses at least one network control center communicating with the DBM controller at least for receiving keys therefrom, the network control center communicating with the second receiver over the bidirectional wireless link (Lipsanen et al., par.040).

Regarding claims 15 and 50, the modified Lipsanen et al. discloses at least one NCC controller associated with the network control center at least for providing to receivers applications related to playing multimedia streams (Lipsanen et al., par.065).

Regarding claims 41 and 52-53, the modified Lipsanen et al. discloses at least one network operations controller (NOC) associated with the broadcast network

operations center at least for providing to receivers applications related to playing multimedia streams through a bidirectional wireless link (Lipsanen et al., par.040).

Regarding claim 17, Lipsanen et al. discloses a method for providing a multimedia stream to a wireless communication device, comprising: broadcasting the multimedia stream over a wireless broadcast link to a first receiver, wherein the broadcast link is characterized by a first wireless principle, wherein the bidirectional wireless link is characterized by a second wireless principle, and wherein the wireless broadcast link and the bidirectional wireless link are separate physical channels, and the first and second wireless principles are different from each other, and the first wireless receiver and the second receiver are both part of the same receiving device (fig.2, par.036, 040, 068-069).

Lipsanen et al. fails to disclose a second receiver being provided with control data associated with the multimedia stream over a bidirectional wireless link.

Salo et al. discloses a second receiver being provided with control data associated with the multimedia stream over a bidirectional wireless link (col.3 line 44 through col.4 line 5). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Lipsanen et al. with the above teaching of Salo in order to reduce bandwidth by DVB-T transmitter.

Regarding claim 18, the modified Lipsanen et al. discloses at least some control data is transmitted to the wireless device (Lipsanen et al., par.040).

Regarding claim 19, the modified Lipsanen et al. discloses at least some control data is transmitted from the wireless device (Lipsanen et al., par.040 "request data").

Regarding claim 20, the modified Lipsanen et al. discloses the broadcast link is unidirectional (Lipsanen et al., par.033, "DVB-S satellite").

Regarding claim 34, Lipsanen et al. discloses a wireless client station capable of communicating using at least two communication links, comprising: at least one processor receiving on a first receiver a digital multimedia stream received on a wireless broadcast link, wherein the broadcast link is characterized by a first wireless principle, wherein the bidirectional wireless link is characterized by a second wireless principle, wherein the wireless broadcast link and the bidirectional wireless link are separate physical channels and the first and second wireless principles are different from each other, and wherein the wireless client station comprises both the first receiver and the second receiver; wherein the processor uses the control data to enable presentation of the multimedia stream on a display (fig.2, par.036, 040, 068-069).

Lipsanen et al. fails to disclose a second receiver being provided with control data associated with the multimedia stream over a bidirectional wireless link.

Salo et al. discloses a second receiver being provided with control data associated with the multimedia stream over a bidirectional wireless link (col.3 line 44 through col.4 line 5). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Lipsanen et al. with the above teaching of Salo in order to reduce bandwidth by DVB-T transmitter.

Regarding claim 47, Lipsanen et al. discloses a system for providing a multimedia stream to a wireless communication device, comprising: means for broadcasting the multimedia stream over a wireless broadcast link to a first receiver,

wherein the broadcast link is unidirectional and is characterized by selecting one from the group consisting of: CDMA principles, GSM principles, OFDM principles, WCDMA principles, TDMA, principles, and TD-SCDMA principles; and means for transmitting, over a bidirectional wireless link to a second receiver, wherein the bidirectional wireless link is characterized by selecting one from the group consisting of: a CDMA link, a 802.11 link, a GSM link, a satellite link, and a Bluetooth link, wherein the wireless broadcast link and the bidirectional wireless link are separate physical channels, and wherein the first and second receivers are both part of the same receiving device, and the first and second wireless principles are different from each other (fig.2, par.036, 040, 068-069).

Lipsanen et al. fails to disclose a second receiver being provided with control data associated with the multimedia stream over a bidirectional wireless link.

Salo et al. discloses a second receiver being provided with control data associated with the multimedia stream over a bidirectional wireless link (col.3 line 44 through col.4 line 5). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Lipsanen et al. with the above teaching of Salo in order to reduce bandwidth by DVB-T transmitter.

Regarding claims 5 and 38, the modified Lipsanen et al. discloses the bidirectional wireless link is a point- to-point wireless communication link (Salo et al., col.3 lines 54-55).

Allowable Subject Matter

Claims 12-13, 27, 31-32, 29, 40 and 44-45, objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is an examiner's statement of reasons for allowance:

Regarding claims 12, 31 and 44, the prior art fails to teach the control data includes data useful for de-interleaving, decompressing, and decoding the multimedia stream.

Regarding claims 13, 32 and 45, the prior art fails to teach the control data includes data useful for indexing into the multimedia stream for channel selection and tracking.

Regarding claims 27 and 40, the prior art fails to teach the control data includes data associated with a subscription to a multimedia broadcast service.

Regarding claim 28, the prior art fails to teach the control data includes data related to levels of service related to providing the multimedia stream.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed Tu Nguyen whose telephone number is 571-272-7883.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban, can be reached at (571) 272-7899. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Tu X Nguyen/

Primary Examiner, Art Unit 2618

3/10/10